

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PLAYTEX PRODUCTS INC.,

Plaintiff,

-vs-

Case No. C-1-02-391

PROCTER & GAMBLE CO.,

Defendant.

AMENDED ORDER SETTING NEW BRIEFING AND TRIAL SCHEDULE

This matter was before the Court for a scheduling conference on April 28, 2005. As a result of that conference the Court would ORDER that the following briefing and trial schedule be set:

- | | |
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| 1. Supplement expert reports regarding liability
in light of the Federal Circuit Court of Appeals
decision: | |
| Defendants: | <u>July 29, 2005</u> |
| Plaintiff's Rebuttal: | <u>August 31, 2005</u> |
| 2. Cut-off for fact discovery regarding damages: | <u>September 30, 2005</u> |
| 3. Cut-off for depositions of experts regarding liability: | <u>September 30, 2005</u> |
| 4. Exchange expert reports regarding liability: | <u>October 31, 2005</u> |
| 5. Cut-off for depositions of experts regarding liability: | <u>December 15, 2005</u> |
| 6. Motions not directed to the pleadings: | <u>January 15, 2006</u> |
| 7. Joint final pretrial order to be filed by: | <u>June 7, 2006</u> |
| 8. Final pretrial conference in chambers: | <u>June 13, 2006</u>
<u>@ 3:30 p.m.</u> |
| 9. Jury trial: | <u>July 17, 2006</u> |

DONE and **ORDERED** in Dayton, Ohio, this 20th day of April, 2004.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE